

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

JOHN K. CIELINSKI, )  
                        )  
Plaintiff,           )                   **8:10CV351**  
                        )  
vs.                   )                   **ORDER**  
                        )  
WERNER ENTERPRISES, INC., et al., )  
                        )  
Defendants.          )

This matter is before the court following a telephone conference with counsel on May 25, 2011. Vincent M. Powers represented the plaintiff and Roger J. Miller and Abigail M. Moland represented the defendant Werner Enterprises, Inc. During the discussion counsel stated their belief the case may be resolved by cross motions for summary judgment. Accordingly,

**IT IS ORDERED:**

1.     Werner Enterprises, Inc. shall file its motion for summary judgment **on or before July 15, 2011**.
2.     The plaintiff shall have to **on or before August 15, 2011**, to file a response to any motion for summary judgment previously filed and to file his motion for summary judgment.
3.     Werner Enterprises, Inc. may file a reply in support of its own summary judgment motion and a response to the plaintiff's summary judgment motion **on or before August 31, 2011**.
4.     The plaintiff may file a reply in support of his own summary judgment motion **on or before September 12, 2011**.
5.     Within **ten days** following the court's ruling on the parties' cross motions for summary judgment, the plaintiff shall arrange a telephone conference with opposing counsel and the undersigned magistrate judge for the purpose of scheduling the matter to conclusion.

DATED this 25th day of May, 2011.

BY THE COURT:  
s/ Thomas D. Thalken  
United States Magistrate Judge